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PTO/SB/21 (09-04)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

**6+11  
REFS**

Application Number

10/620,061

Filing Date

July 14, 2003

First Named Inventor

Eduardo BLUMWALD

Art Unit

1638

Examiner Name

Not Yet Assigned

Attorney Docket Number

595792000121

## ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disci Stmt- 3pgs

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/ Incomplete Application

☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

**1. PTO/SB/08a/b - 2 pgs  
(citing 11 refs/copies of 11 refs attached)**

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

MORRISON & FOERSTER LLP

CUSTOMER NO. 20872

Signature

*Michael R. Ward*

Printed name

Michael R. Ward

Date

May 24, 2006

Reg. No.

38,651

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: **MS: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on the date shown below.

Dated: May 24, 2006

Signature: \_\_\_\_\_

(LILIA OLSEN)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 24, 2006 Signature: \_\_\_\_\_

(Lilla Olsen)

Patent

Docket No. 595792000121



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Eduardo BLUMWALD et al.

Serial No.: 10/620,061

Filing Date: July 14, 2003

For: HIGH SALT PLANTS AND USES FOR  
BIOREMEDIATION

Examiner: Not Yet Assigned

Group Art Unit: 1638

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. The Examiner is requested to make these documents of record. Copies of the non-patent literature documents are also submitted herewith.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.**
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_ is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.


The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling;  
or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 595792000121.

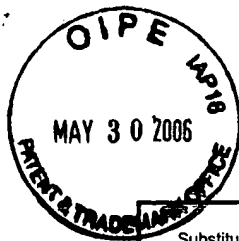
Dated: May 24, 2006

Respectfully submitted,

By 

Michael R. Ward

Registration No.: 38,651  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, California 94105-2482  
(415) 268-6237



ALTERNATIVE TO PTO/SB/08a/b (07-05)

<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/620,061
				Filing Date	July 14, 2003
				First Named Inventor	Eduardo BLUMWALD
				Art Unit	1638
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	595792000121

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	
	1	CUARTERO, Jesús et al. (1999) "Tomato and salinity." <i>Scientia Horticulture</i> , 78:83-125.	
	2	DIERIG, D.A. et al. (2001) "Registration of WCL-SL1 Salt Tolerant <i>Lesquerella fendleri</i> Germplasm." <i>Crop. Sci.</i> , 41:604-605.	
	3	FRANCOIS, L.E. et al. (1964) "Salt Tolerance of Safflower." <i>Agronomy Journal</i> , 58:38-40.	
	4	MÄSER, Pascal et al. (August 2001) "Phylogenetic Relationships within Cation Transporter Families of Arabidopsis." <i>Plant Physiology</i> , 126:1646-1667.	
	5	NAKAMURA, Yasukazu et al. (1998) "Structural Analysis of Arabidopsis thaliana Chromosome 5. VII. Sequence Features of the Regions of 1,013,767 bp Covered by Sixteen Physically assigned P1 and TAC Clones." <i>DNA Research</i> , 5:297-308.	
	6	SANTA-MARÍA, Guillermo E. et al. (December 1997) "The HAK1 Gene of Barley Is a Member of a Large Gene Family and Encodes a High-Affinity Potassium Transporter." <i>The Plant Cell</i> , 9:2281-2289.	
	7	VENEMA, K. et al. (June 20, 2003) "A Novel Intracellular K <sup>+</sup> /H <sup>+</sup> Antiporter Related to Na <sup>+</sup> /H <sup>+</sup> Antiporters Is Important for K <sup>+</sup> Ion Homeostasis in Plants." <i>The Journal of Biological Chemistry</i> , 278(25):22453-22459.	

Examiner Signature		Date Considered	
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sf-2130747

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/620,061
				Filing Date	July 14, 2003
				First Named Inventor	Eduardo BLUMWALD
				Art Unit	1638
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	595792000121

8	YERMANOS, D. M. et al. (1964) "Soil Salinity Effects on the Chemical Composition of the Oil and the Oil Content of Safflower Seed." <i>Agronomy Journal</i> , 54:35-37.	
9	YOKOI et al. (2002) "Differential expression and function of Arabidopsis thaliana NHX Na <sup>+</sup> /H <sup>+</sup> antiporters in the salt stress response." <i>The Plant Journal</i> , 30(5):529-539.	
10	GenBank Accession No. 3850064, November 4, 1998, Source: Fission Yeast; Reference 1 Authors: Murphy L. and Harris, D.; Reference 2 Authors: Wood, V., Barrell, B.G., and Rajandream, M.A.; 2 pgs.	
11	GenBank Accession No. AF106324, March 3, 1999, located at < <a href="http://www.ncbi.nlm.nih.gov/entrez/viewer.fcgi?db=nucleotide&amp;val=4324596">http://www.ncbi.nlm.nih.gov/entrez/viewer.fcgi?db=nucleotide&amp;val=4324596</a> >, visited on 01/26/2005, 2 pgs.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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